

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**CAREY D. EBERT**

**Plaintiff,**

**v.**

**HOWARD MILLER APPEL, et al.,**

**Defendants**

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**Civil Action NO.: 4:15-cv-225-0**

**NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)**

Pursuant to F.R.C.P. 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the Plaintiff, Carey D. Ebert, through undersigned counsel, hereby gives notice that all claims asserted in the above-captioned action against the following specific Defendant, Vernon Ray Harlow, are voluntarily dismissed, without prejudice, as he has neither filed or served an answer or motion for summary judgment herein. Plaintiff's claims against the other defendants named herein are not dismissed in any way.

August 31, 2016.

Respectfully submitted,

/s/ J. E. Cullens, Jr.

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J. E. Cullens, Jr. (admitted *pro hac vice*)  
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/s/ John C. Anderson

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/s/ Robin E. Phelan

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(i) was served on all counsel of record herein via the Court's electronic notification system on this 31<sup>st</sup> day of August, 2015.

/s/ J. E. Cullens, Jr.

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J. E. Cullens, Jr.